

REMARKS**In the Claims****35 USC § 102**

Claims 1, 4, and 9-16 were rejected under 35 U.S.C. 102(b) as being anticipated by Mitsui (U.S. Patent No. 5,100,166).

With respect to claim 1, Applicant respectfully disagrees with the Examiner's rejection.

Mitsui discloses a method for detecting the vibration at each suspension by using a first sensor to detect acceleration in a vertical direction for each wheel, a second sensor for detecting acceleration in a transverse direction for each wheel, and a third sensor for detecting acceleration in a third direction parallel to the direction of movement (col. 4, lines 11-26) for each wheel. The three sensors are used to detect a vibration at each wheel at allows for a damping factor to be different at a front wheel than at a rear wheel (col. 4, lines 26-56). The damping factor is adjusted solely on the basis of the vibration at each wheel.

Conversely, claim 1 measures a vehicle acceleration. The measured vehicle acceleration is used to determine a change in a wheel load and the damping factor for each wheel is adjusted based on the change in wheel load. Vehicle acceleration determines the shift of the center of gravity in a vehicle, while wheel acceleration does not. The more a vehicle accelerates, the more the load bears on the rear wheels, while during a vehicle's deceleration the load on the front wheels is higher than during coasting. An individual wheel's acceleration has no such influence, for a wheel by itself can be spinning or skidding and may thus not contribute to a vehicle acceleration and to the load on the wheels at all.

Therefore, Mitsui fails to teach or disclose all the claimed elements. Mitsui discloses using three sensors to measure three accelerations at a each wheel to determine the vibration at each wheel. Claim 1 measures a vehicle acceleration to determine a change in load of the wheel. Mitsui is silent with regards to adjusting a

damping factor at a wheel based upon a change in vehicle load at that wheel. Furthermore, the system of Mitsui requires three sensors to determine wheel vibration and is not concerned with a change in load at each wheel.

Therefore, Applicant requests to reconsider the rejection.

35 USC § 103

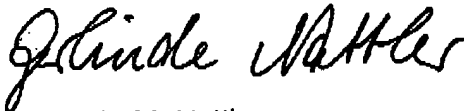
Claims 5-8, 18, and 19-21 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Mitsui (claim 2) and over Miller in view of Weiberle (UA 2002/0013651).

Weiberle discloses a method for determining a wheel slip, a pitch angle and a road angle of a vehicle. The determined wheel slip, pitch angle and road angle or used by a vehicle control, such as electronic stability control. Weiberle is silent with regards to using a vehicle acceleration to determine a change in wheel load. Also, Weiberle is silent with regards to changing a damping coefficient for a wheel based upon a change in wheel load. Therefore, Weiberle fails to teach or disclose the claimed elements that Mitsui fails to teach or disclose.

Accordingly, even a combination of Mitsui and Weiberle cannot result in the elements of the pending claims.

Applicant therefore requests reconsideration of the rejections.

Respectfully submitted,



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